

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION**

MONICA BRUNTY, on behalf of herself  
and others similarly situated,

Plaintiff,

v.

OPTIMA HEALTH PLAN, and SENTARA  
HEALTH PLANS, INC.,

Defendants.

**Civil Action No. 2:19-cv-255-RAJ-DEM**

**UNOPPOSED MOTION FOR APPROVAL OF SETTLEMENT UNDER THE FAIR  
LABOR STANDARDS ACT, FOR APPOINTMENT OF SETTLEMENT  
ADMINISTRATOR, FOR APPROVAL OF SERVICE AWARDS, AND FOR  
APPROVAL OF ATTORNEYS' FEES AND COSTS**

Plaintiffs Monica Brunty, Pamela Langley, Kirby Baughn, Beth-Anee Fretz, Meagan Painter, Diana Perry, and Ashley Roby, respectfully request that the Court enter an Order, in the form attached hereto as Exhibit A, approving the Parties' Joint Stipulation of Settlement ("Settlement Agreement" or "Agreement") as a fair and reasonable resolution of a *bona fide* dispute under the Fair Labor Standards Act. Defendants do not oppose this Motion and consent to entry of the Order.

As demonstrated in the accompanying Supporting Memorandum of Law, the Parties' settlement constitutes the resolution of a *bona fide* dispute between the parties and is the result of arm's-length negotiations, conducted by experienced counsel for all Parties, after litigating this case for eight months and attending mediation with an experienced mediator. The terms of the settlement are reasonable, appropriate, and fair to all Parties.

As a result, Plaintiffs respectfully request that the Court approve the Settlement and permit the Parties to effectuate its terms using the forms and procedures set forth in their Agreement. Plaintiffs also ask, consistent with the Agreement, that the Court appoint Analytics Consulting LLC as the third-party Administrator and approve the following payments: (i) Service Award to Named Plaintiff Brunty in the amount of \$5,000; (ii) Service Awards to Plaintiffs Pamela Langley, Kirby Baughn, Beth-Anee Fretz, Meagan Painter, Diana Perry, and Ashley Roby in the amount of \$1,000 each, (iii) Attorneys' Fees equal to  $33\frac{1}{3}\%$  of the Settlement; (iv) Plaintiffs' Litigation Expenses in an amount of \$4,980.54; and (v) settlement administration fees to the Administrator in an amount of \$5,482.

For these reasons and those stated in the accompanying Memorandum, the Plaintiffs request that the Court approve the Parties' Settlement Agreement.

Dated: April 9, 2020

Respectfully submitted,

/s/Zev Antell

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 9th day of April, 2020, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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